

REMARKS

Claims 1-19 are pending in the application.

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Puri et al, U.S. Patent No. 6,148,026 (hereinafter "Puri").

Claim Rejections Under 35 U.S.C. §102(e)

Claims 1-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Puri. Puri generally discloses coding video data with enhanced functionality by coding video data as base layer data and enhancement layer data. (See Abstract). Applicants respectfully submit that Puri fails to disclose all the elements of claims 1, 7, and 13, as amended.

✓ Puri does not disclose at least first and second successive encoding passes. Puri states:

The demultiplexer inserts the command into the channel 230, represented as back channel 232. The multiplexer 220 retrieves the back channel 232 from the channel 230 and routes it to the encoder 210, represented by line 212. In response to a command contained in the back channel 232, the encoder 210 responds accordingly. It reduces or eliminates the mesh node motion vectors.

(See Puri, col. 5, lines 13-20).

not
C
In other words, the reverse arrow shown in Figure 2A of Puri discloses a command line and not sending the video data back to the encoder for successive passes. Additionally, Puri does not disclose excluding at least one sub-step from execution during an encoding pass for which that sub-step is unnecessary. Applicants respectfully submit, therefore, that elements of claim 1, 7, and 13, as amended, are neither shown nor suggested by the cited reference. Claims 2-6, 8-12, and 14-19 depend from and further define claims 1, 7, and 13, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 1-19 under 35 U.S.C. §102(e) is respectfully requested.

CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

KENYON & KENYON

Dated: February 24, 2003

KENYON & KENYON
333 West San Carlos St., Suite 600
San Jose, CA 95110

Telephone: (408) 975-7500
Facsimile: (408) 975-7501

By: Stephen T. Neal
Stephen T. Neal
(Reg. No. 47,815)

For: Shawn W. O'Dowd
(Reg. No. 34,687)

Amended Claims – Marked Up Version of Changes Made

1. (Once Amended) In a system for encoding video image data with at least first and second successive encoding passes of said video image data, where each encoding pass includes a number of executable steps and at least one of said executable steps includes a number of executable first order sub-steps, a method for encoding video image data comprising:

- (a) identifying first order sub-steps in at least one of said first and second encoding passes as being necessary or unnecessary for execution of said encoding passes; [and]
- (b) executing said necessary sub-steps during said first and second encoding passes;
and
- (c) excluding at least one sub-step from execution during an encoding pass for which that sub-step is unnecessary.

7. (Once Amended) A set of instructions residing in a storage medium, said set of instructions capable of being executed by a processor to implement a method for encoding video image data with at least first and second successive encoding passes of said video image data, where each encoding pass includes a number of executable steps and at least one of said executable steps includes a number of executable first order sub-steps, such that first order sub-steps in at least one of said first and second encoding passes are identified as being necessary or unnecessary for execution of said encoding passes, the method comprising:

- (a) executing said necessary sub-steps during said first and second encoding passes;
and
- (b) excluding at least one sub-step from execution during an encoding pass for which that sub-step is unnecessary.

13. (Once Amended) A system for encoding video image data with at least first and second successive encoding passes of said video image data, where each encoding pass includes a

number of executable steps and at least one of said executable steps includes a number of executable first order sub-steps, said first order sub-steps in at least one of said first and second encoding passes being identified as necessary or unnecessary for execution of said encoding passes, said system including:

a video compressor adapted to encode video image data during said at least first and second encoding passes; and

a bit rate controller coupled to said video compressor and adapted to control said video compressor during said at least first and second encoding passes, such that said video compressor is adapted to execute said necessary sub-steps during said first and second encoding passes and exclude at least one sub-step from execution during an encoding pass for which that sub-step is unnecessary.